CUSTOMER NO.: 38107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of G. MUESCH, et al.	)	Examiner: I. CHAKOUR
	)	Art Unit: 2617
Serial No.: 10/552,646	)	
	)	Confirmation: 2630
Filed: July 18, 2006	)	
	)	
For: METHOD AND UNIT FOR THE RELIABLE ALLOCATION OF NETWORK ELEMENTS TO A WIRELESS SENSOR NETWORK	)	
Attorney Docket No.: PKRZ201381/PHDE030119US	)	Cleveland, OH 44114 August 13, 2009

BRIEF ON APPEAL

CERTIFICATE OF ELECTRONIC TRANSMISSION

I certify that this **BRIEF ON APPEAL** and accompanying documents in connection with U.S. Serial No. 10/552,646 is being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).

August 13 2009
Date

Patricia A Heim
Patricia A. Heim

I. STATEMENT OF REAL PARTY IN INTEREST (41.37(f))

The real party in interest for this appeal and the present application is Koninklijke Philips Electronics, N.V.

II. STATEMENT OF RELATED CASES (41.37(g))

None.

III. JURISDICTIONAL STATEMENT (41.37(h))

The Board has jurisdiction under 35 U.S.C. 134(a).

The Examiner mailed a final rejection on March 18, 2009, setting a three-month shortened statutory period for response.

The time for responding to the final rejection expired on June 18, 2009. Rule 134.

A notice of appeal was filed on June 17, 2009.

The time for filing an appeal brief is two months after the filing of a notice of appeal. Bd.R. 41.37(c). The time for filing an appeal brief expired on August 17, 2009.

The appeal brief is being filed on the date set forth on the Certificate of Transmission.

IV. TABLE OF CONTENTS (41.37(i))

V. TABLE OF AUTHORITIES (41.37(j))

None.

VI. STATUS OF AMENDMENTS (41.37(l))

Amendment C of May 11, 2009 was entered.

VII. GROUNDS OF REJECTION TO BE REVIEWED (41.37(m))

Whether claims 2-13 and 15-17 are patentable in the sense of 35 U.S.C. § 103 over Khair (US 2002/0109621) and Borchardt (US 5,383,044).

Whether claims 8 and 14 are patentable in the sense of 35 U.S.C. § 103 over Khair and Borchardt and Lui (US 2002/0180622).

VIII. STATEMENT OF FACTS (41.37(n))

1. In the Final Rejection, the Examiner appears to consider the base unit 18 of Khair, particularly its interface 61, to be an equivalent of the allocation unit, the base unit 18 to also be an equivalent to the second network element, and one of the electrode assemblies 16 to be an equivalent to the first network element (Final Rejection, page 2, paragraph 4).

2. Each electrode assembly 16 of Khair communicates only with the base unit Khair [0044]).

3. Khair introduces electrode assemblies into a network not with a code entered on the interface 61, but by direct low power or plug and socket communication with the base unit (Khair [0037]).

4. [0118] of Khair calls for the electrode assembly 16 to receive one message, particularly a connection request message 272, and send a different message to the base unit, particularly a connection confirmation message 274.

5. [0109] of Khair calls for stopping data acquisition, not causing a network element to leave the network.

6. [0109], lines 7-10 of Khair, calls for sending a signal to stop the acquisition and transmission of data.

7. As set forth in [0118] of Khair, each electrode assembly receives one message, particularly a connection request message 272, and

sends the base allocation unit a different message, particularly a connection confirmation message 274.

8. The Examiner points to column 6, lines 4-8 of Borchardt (Final Rejection, page 7, paragraph 10).

9. Column 6, lines 4-8 of Borchardt disclose that the handheld remote 20 emulates the control buttons of the selected TV, VCR, or the like.

10. A touch-sensitive LCD display 30 of Borchardt displays the various control buttons of the standard remote for the selected one of the TV, VCR, or the like (Borchardt, column 6, lines 4-11).

11. The Examiner concedes that Khair and Borchardt do not disclose or fairly teach that the transmitter transmits a second code which causes the first network element to leave the network of the second network element or which causes the second network element to break up the network, asserting instead that Lui does (Final Rejection, page 9, paragraph 13).

12. Lui is concerned with small, mobile computing devices which have a limited number of buttons (Lui [0002]).

13. Lui proposes to address the problem of more functions than buttons by programming the personal computing device subset pushing the button for different lengths of time or multiple times is indicative of different requested functions (Lui, Abstract).

14. Borchardt is merely directed to an RF to IR translator which enables an RF handheld remote to control not only RF controlled TVs, VCRs, and the like, but also IR controlled TVs, VCRs, and the like (column 2, line 58 – column 3, line 11).

IX. ARGUMENT (41.37(o))

A. Claims 2-4 Distinguish Patentably Over Khair and Borchardt

In the present application, an allocation unit 1 introduces first and second network elements 2, 3 such that the second network element 3 can receive the first network element 2 into its established network.

Claim 4 calls for the allocation unit to transmit a code to the first network element and for the second network element to receive the code from the allocation unit. In the Final Rejection, the Examiner appears to consider the base unit 18 of Khair, particularly its interface 61, to be an equivalent of the allocation unit, the base unit 18 to also be an equivalent to the second network element, and one of the electrode assemblies 16 to be an equivalent to the first network element (Final Rejection, page 2, paragraph 4). Such an interpretation of Khair fails to set forth an allocation unit which transmits a code to a first network element, i.e., the interface 61 of Khair by the Examiner's interpretation. The interface 61 of Khair does not send a code the electrode assemblies 16. Indeed, the user interface 61 communicates only with the base unit and does not send a code, much less a common code, to both the base unit to which it is hard wired in Khair and one of the electrode assemblies 16. Each electrode assembly 16 of Khair communicates only with the base unit (Khair [0044]).

Khair introduces electrode assemblies into a network not with a code entered on the interface 61, but by direct low power or plug and socket communication with the base unit (Khair [0037]).

Stated another way, Khair sets forth a linear arrangement in which the user interface 61 talks only to the base unit 18 into which it is hardwired. The base unit talks only with the electrode assembly 16 and each electrode assembly 16 talks only to the base unit. By contrast, in claim 4, the allocation unit talks to both the first network element and the second network element, after which the first and second electrode elements talk to each other. In this manner, the communications called for in claim 4 call for a loop; whereas, the communications described in Khair go only in a straight line.

Claim 4 further calls for the first network element to transmit its ID with the code such that the first ID/code transmission can be received by the second network element. Khair describes no "code" which is used to introduce the first and second network elements. Rather, the base element 18 and each electrode assembly of Khair exchange identifiers directly without the preliminary of a common code sent to both by the interface (Khair [0087-0089]).

The Examiner asserts that [0118] of Khair sets forth a "code" as recited in claim 4. The Appellant disagrees. The code as used in claim 4 is sent by the allocation means to the first network element and, this same

code is then sent by the first network element to the second electrode element. By contrast, in Khair, the base unit initiates communication with one of the electrode assemblies 16 by sending a connection request message 272, in response to which the electrode assembly replies with a connection confirmation message 274 (Khair [0118]). Thus, in Khair, the order in which the base unit and each of the electrode assemblies initially address each other is in the opposite order relative to claim 4.

Moreover, claim 4 calls for the first network element to receive the code from the allocation means and for the first network element to supply the same code that it receives from the allocation means to the second network element. By contrast [0118] of Khair calls for the electrode assembly 16 to receive one message, particularly a connection request message 272, and send a different message to the base unit, particularly a connection confirmation message 274. The user interface 61 of Khair, which the Examiner considers the allocation unit, does nto take part in these communications.

Borchardt was not cited as and does not cure any of the above-discussed shortcomings of Khair. Borchardt is merely an RF to IR translator (Borchardt, column 2, line 58 – column 3, line 11). Specifically, Borchardt wants to use a radio frequency remote control module as a universal remote to control a TV, VCR, or the like, even if some of the controlled electronic devices may be IR controlled and others

RF controlled. Borchardt indicates that it is important for a universal remote which needs to send control commands to various electronic components, some of which are IR controlled and some of which are RF controlled (Borchardt, column 1, lines 6-30). The inability to communication with both RF and IR controlled electronic devices would inhibit a remote from being "universal". The Borchardt translator 80 receives an RF control signal from a handheld remote and uses the received RF control signal to control an LED driver 90 to generate a corresponding IR signal to the IR light sensor 100 of the remotely-controlled electronic device 102 (Borchardt, column 7, line 63 – column 8, line 17). Thus, the translator of Borchardt merely receives an RF command from a hand-held remote and outputs a corresponding IR command.

It appears that the Examiner is attempting to remove the user interface 61 from the base unit of Khair and move it to a remote location. Perhaps the Examiner is proposing to remove the user interface 61 of Khair and replace it with an infrared light sensor and with a translator which receives RF signals and generates corresponding IR signals. The RF signals, in turn, might be transmitted by a hand-held remote. First, it is submitted that Khair and Borchardt disclose different methods for different purposes in different fields. Khair is concerned with medical monitoring and Borchardt is concerned with controlling TVs, VCRs, and

other electronics with a universal hand-held remote. Second, even if the user interface 61 of Khair were wirelessly connected to it, the "interface" would still only communicate with the base unit 18. Such a movement of the base unit interface 61 of Khair into a hand-held remote would still not teach communicating a code from a hand-held remote to one of the electrode assemblies 16. Accordingly, it is submitted that Borchardt does nothing to overcome the shortcomings of Khair discussed above.

For the reasons set forth above, it is submitted that claim 4 along with claims 2, 3, and 5-8 dependent therefrom distinguish patentably and unobviously over the references of record.

B. Claim 5 Distinguishes Patentably Over Khair and Borchardt

In addition to the limitations and distinctions discussed above, claim 5 further calls for the allocation unit to receive the encoded ID from the first network element and transmit it to the second network element. In this manner, the allocation unit acts as the intermediary to transfer the encoded ID of the first network element to the second network element. In Khair, the interface unit 61 only communicates with the base unit, whether connected by hardwire as in Khair or wirelessly as in Borchardt. The Examiner fails to identify any portion of Khair or Borchardt which suggest that the interface (Khair) remote (Borchardt) should communicate

with the electrode assembly which then communicates with the base unit or provide any teaching or motivation to redesign Khair to perform such a function.

Accordingly, it is submitted that claim 5 distinguishes patentably and unobviously over the references of record.

C. Claim 6 Distinguishes Patentably Over Khair and Borchardt

Claim 6 calls for the allocation unit to transmit a second code which causes the first network element to leave the network of the second network element. The Examiner points to [0109] of Khair in which the base unit can tell one of the electrode elements to stop acquiring data. First, the Examiner is using the base unit as the second electrode element, not the allocation unit. Second, [0109] of Khair calls for stopping data acquisition, not causing a network element to leave the network.

The Examiner asserts that Borchardt discloses control functions. However, the control functions discussed in Borchardt are the control signals which a handheld remote uses to control a TV, VCR, or other electronic equipment. Accordingly, it is submitted that Borchardt fails to cure the above-discussed shortcomings of Khair.

Accordingly, it is submitted that claim 6 distinguishes patentably and unobviously over the references of record.

D. **Claim 7 Distinguishes Patentably Over Khair and Borchardt**

Claim 7 calls for the allocation unit to transmit a second code which causes the second network element to break up the network. The Examiner references [0109], lines 7-10 of Khair, which calls for sending a signal to stop the acquisition and transmission of data. This section of Khair does not suggest breaking up the network. Borchardt describes sending signals from a handheld remote to control a TV, VCR, or the like, e.g., ON command, OFF command, change station command, etc. Borchardt fails to teach that the handheld remote should be used to break up a network. Accordingly, it is submitted that Borchardt does not cure the shortcomings of Khair.

E. **Claim 8 Distinguishes Patentably Over Khair and Borchardt**

Claim 8 calls for the second code for removing network elements or for breaking up the network to include the first code transmitted over a long time period or a number of times. The Examiner concedes that this limitation is not disclosed or taught by Khair and Borchardt. Instead, the Examiner points to Lui. However, Lui fails to cure this shortcoming. Rather, Lui is concerned with small personal computing devices which have a limited number of buttons. More specifically, Lui wants to send

out more types of commands than there are buttons. To achieve this, Lui proposes pressing one of the buttons a different number of times or of for different lengths to generate different commands which cause the computer to perform different functions. Nowhere in Lui is there any suggestion of transmitting a code over a longer period of time or a number of times, much less using the same code to set up or break up a network by transmitting the code for different durations or numbers of times.

Accordingly, it is submitted that claim 8 distinguishes patentably and unobviously over the references of record.

F. Claims 9, 10, and 12 Distinguish Patentably Over Khair and Borchardt

Claim 9 calls for an allocation unit with a transmitter which transmits a code to a first network element, which code causes the first network element to transmit its ID together with the code to a second network element. Khair fails to teach or fairly suggest that the interface have a transmitter which transmits a code to one of the electrode assemblies 16, which code causes the electrode assembly to transmit that code to the base unit. The user interface 61 of Khair is hardwired to and communicates only with the base unit 18. As set forth in [0118] of Khair, each electrode assembly receives one message, particularly a connection

request message 272, and sends the base allocation unit a different message, particularly a connection confirmation message 274. Borchardt was not cited as and does not cure this shortcoming of Khair. Borchardt describes an RF remote and a translator which translates RF control signals for a TV, VCR, or the like into IR control signals in order tha the RF remote can function as a universal remote to control TVs, VCRs, and the like that are controlled either by RF or IR. Replacing the hard wiring of the interface 61 with a wireless connection does not cure the shortcomings of Khair described above.

Accordingly, it is submitted that claim 9 and claims 10 and 12 dependent therefrom, along with dependent claims 11, 13, and 14, distinguish patentably and unobviously over the references of record.

G. Claim 11 Distinguishes Patentably Over Khair and Borchardt

Claim 11 calls for the code to perform two functions. First, the code causes the first network element to transmit its ID together with the code. Second, the code causes the second network element to receive the first network element ID from the first network element. This three-way communication protocol in which the code from the allocation unit causes a first network element to perform one function, the second network element to perform a different function, particularly receiving the first

network element ID from the first element, is contrary to the fair teachings of Khair. By contrast, the user interface 61 of Khair, whether hardwired as shown in Khair or wireless, communicates with the base unit 18. The base unit 18 communicates with the electrode elements. The user interface 61 of Khair does not communicate with the electrode element, much less send the electrode element a code, which code causes the electrode assembly to transmit its ID to the base unit 18 and which code also causes the base unit 18 to receive the first electrode assembly ID. To the contrary, in Khair, the interface communicates only with the base unit and the base unit establishes bidirectional communications with each electrode assembly (Khair [0087-0089]). There is no three-way handoff of information as described in claim 11.

Accordingly, it is submitted that claim 11 distinguishes patentably and unobviously over the references of record.

H. Claim 13 Distinguishes Patentably Over Khair and Borchardt

Claim 13 calls for one or more of the devices to display a respective operating state. The Examiner concedes that this limitation is not shown by Khair (Final Rejection, page 7, paragraph 10). Rather, the Examiner points to column 6, lines 4-8 of Borchardt (Final Rejection, page 7, paragraph 10). Column 6, lines 4-8 of Borchardt disclose that the

handheld remote 20 emulates the control buttons of the selected TV, VCR, or the like. Specifically, a touch-sensitive LCD display 30 of Borchardt displays the various control buttons of the standard remote for each selected one of the TV, VCR, or the like (Borchardt, column 6, lines 4-11). While emulating the hand-held remote for various pieces of electronic equipment is an interesting idea, it is submitted that such idea is not relevant to claim 13 or the Khair apparatus.

Accordingly, it is submitted that claim 13 distinguishes patentably and unobviously over the references of record.

I. Claim 14 Distinguishes Patentably Over Khair, Borchardt, and Lui

Claim 14 calls for the transmitter to transmit a second code which causes the first network element to leave the network of the second network element or which causes the second network element to break up the network. The Examiner concedes that Khair and Borchardt do not disclose or fairly teach this concept, asserting instead that Lui does (Final Rejection, page 9, paragraph 13). Lui does not address causing element to leave or break up a network. Rather, Lui is concerned with small, mobile computing devices which have a limited number of buttons (Lui [0002]). Lui proposes to address the problem of more functions than buttons by programming the personal computing device such that pushing

the same button for different lengths of time or multiple times is indicative of different requested functions (Lui, Abstract). Because Lui is not concerned with removing elements from a network or breaking up networks, it is submitted that Lui fails to cure the shortcomings of Khair and Borchardt.

Accordingly, it is submitted that claim 14 distinguishes patentably and unobviously over the references of record.

J. Claims 15-17 Distinguish Patentably Over Khair and Borchardt

Claim 15 calls for an allocation unit which transmits a code to an unassigned first medical device. The user interface 61 of Khair, whether hardwired or wirelessly connected to the base unit 18 does not transmit a code to a selected one of the electrode assemblies 16. Rather, the user interface of Khair communicates only with the base unit. Further, claim 15 calls for the first medical network device which received the encoded signal to transmit an encoded first medical network device ID with the code. Khair at [0081] referenced by the Examiner calls for each electrode assembly to have a unique identifier. However, [0081] of Khair does not disclose transmitting an encoded medical network device ID, much less with a code from the user interface. In the present application, the code is used to introduce the first and second medical network

devices. It is not clear why or how such a code could or would be used in Khair, because each electrode assembly is individually polled by the base unit.

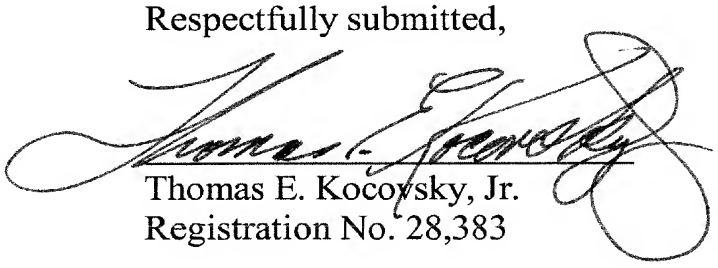
Claim 15 further calls for a second medical device which is already assigned to a network, which second network device receives the encoded first medical device ID and admits the first medical device to an existing network in response to receiving a code from the allocation unit. In Khair, the user interface does not communicate with one of the electrode assemblies by sending in a code. Nor does Khair suggest that one of the electrode assemblies should transmit its own ID and the same code to the base unit. Nor does Khair disclose or suggest that the base unit incorporate the electrode assembly into its network in response to (1) receiving the first device ID and the code from the first medical device and (2) receiving the same code that the first medical device received from the user interface. By contrast, in Khair, the base unit 18 is the only unit which transmits or receives signals from the electrode assemblies 16. There is no three-way communication loops as recited in claim 15. Borchardt is not cited as and does not cure this shortcoming of Khair. Borchardt is merely directed to an RF to IR translator which enables an RF handheld remote to control not only RF controlled TVs, VCRs, and the like, but also IR controlled TVs, VCRs, and the like (column 2, line 58 – column 3, line 11).

Accordingly, it is submitted that claim 15 and claims 16-17 dependent therefrom distinguish patentably and unobviously over the references of record.

K. **Conclusion**

For all of the reasons set forth above, it is respectfully submitted that claims 2-17 distinguish patentably and unobviously over the references of record. An early reversal of the rejections of all claims is requested.

Respectfully submitted,



Thomas E. Kocovsky, Jr.
Registration No. 28,383

FAY SHARPE LLP
The Halle Building, 5th Floor
1228 Euclid Avenue
Cleveland, OH 44115-1843
Telephone: 216.363.9000 (main)
Telephone: 216.363.9122 (direct)
Facsimile: 216.363.9001
E-Mail: tkocovsky@faysharpe.com

APPENDIX

X. CLAIMS SECTION (41.37(p))

1. (Cancelled)

2. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits an encoded light pulse.

3. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits an encoded radio signal.

4. (Rejected) A method of allocating network elements to a wireless network, wherein an allocation unit transmits a code to a first network element, which causes the first network element to transmit its ID together with the code so that the latter can be received by a second network element which allocates the first network element to its network and wherein the activation of the second network element to receive the encoded ID from the first network element takes place by receiving the code from the allocation unit.

5. (Rejected) The method as claimed in claim 4, wherein the allocation unit receives the encoded ID from the first network element and transmits it to the second network element.

6. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits a second code which causes the first network element to leave the network of the second network element.

7. (Rejected) The method as claimed in claim 4, wherein the allocation unit transmits a second code which causes the second network element, which has a network administration function, to break up the network.

8. (Rejected) The method as claimed in claim 6, wherein the second code for removing network elements or for breaking up the network includes the first code being transmitted over a longer time period or a number of times.

9. (Rejected) An allocation unit for allocating network elements to a wireless network, comprising:

a transmitter which transmits, in a user-controlled manner, a code to a first network element, which code causes the first network element to

transmit its ID together with the code to a second network element which allocates the first network element to its network.

10. (Rejected) The allocation unit as claimed in claim 9, wherein the transmitter comprises:

a device for transmitting an encoded light pulse and/or an encoded radio signal.

11. (Rejected) The allocation unit as claimed in claim 9, wherein the code which causes the first network element to transmit its ID together with the code causes the second network element to receive the first network element ID from the first network element.

12. (Rejected) The allocation unit as claimed in claim 9, further including:

a receiver which receives encoded IDs.

13. (Rejected) The allocation unit as claimed in claim 9, further including:

one or more devices which display a respective operating state.

14. (Rejected) The allocation unit as claimed in claim 9, further including:

a transmitter which transmits, in a user-controlled manner, a second code which causes the first network element to leave the network of the second network element or which causes the second network element, which has a network administration function, to break up the network.

15. (Rejected) A system for allocation medical network devices to a wireless network comprising:

an allocation unit which transmits an encoded code in response to a user command;

a unassigned first medical network device which receives the encoded code and transmits an encoded first medical network device ID with the encoded code in response to the reception of the encoded code;

a second medical network medical device, assigned to an existing network and having network administration functions, which second medical network device receives the encoded first medical network device ID and assigns the first medical network device to the existing network in response to the reception of the encoded code from the allocation unit.

16. (Rejected) The system as claimed in claim 15, wherein the allocation unit transmits an encoded light pulse.

17. (Rejected) The system as claimed in claim 15, wherein the allocation unit transmits an encoded radio signal.

APPENDIX (Continued)

XI. CLAIM SUPPORT AND DRAWING ANALYSIS SECTION (41.37(r))

2. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits an encoded light pulse. **{p. 2, l. 32 – p. 5, l. 12; Fig. 3}**

3. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits an encoded radio signal. **{p. 5, l. 9-12; p. 6, l. 18 – p. 8, l. 10; Fig. 3}**

4. A method of allocating network elements to a wireless network, wherein an allocation unit **{ZG; 1}** transmits a code to a first network element **{NE-1; 2}**, which causes the first network element **{NE-1}** to transmit its ID together with the code **{encoded ID}** so that the latter can be received by a second network element **{NE-2; 3}** which allocates the first network element **{NE-1; 2}** to its network **{4}** and wherein the activation of the second network element **{NE-2; 3}** to receive the encoded ID from the first network element **{NE-1; 2}** takes place by receiving the code from the allocation unit. **{p.2, l. 6-17; p. 3, l. 13 – p. 8, l. 34; Figs. 1-4}**

5. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** receives the encoded ID from the first network element **{NE-1; 2}** and transmits it to the second network element **{NE-2; 3}**. **{p. 8, l. 1-28; Fig. 4}**

6. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits a second code which causes the first network element **{NE-1; 2}** to leave the network **{4}** of the second network element **{NE-2; 3}**. **{p. 9, l. 1-24}**

7. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits a second code which causes the second network element **{NE-2; 3}**, which has a network administration function, to break up the network **{4}**. **{p. 9, l. 6-24}**

8. The method as claimed in claim 6, wherein the second code for removing network elements or for breaking up the network **{4}** includes the first code being transmitted over a longer time period or a number of times. **{p. 9, l. 18-24}**

9. An allocation unit **{ZG; 1}** for allocating network elements to a wireless network **{4}**, comprising:

a transmitter **{8}** which transmits, in a user-controlled manner, a code to a first network element **{NE-1; 2}**, which code causes the first network element **{NE-1; 2}** to transmit its ID together with the code to a second network element **{NE-2; 3}** which allocates the first network element **{NE-1; 2}**to its network **{4}**. **{p. 2, l. 6 – p. 8, l. 31; p. 10, l. 21-26; Figs 1-4}**

10. The allocation unit **{ZG; 1}** as claimed in claim 9, wherein the transmitter **{8}** comprises:

a device for transmitting an encoded light pulse and/or an encoded radio signal. **{p. 2, l. 32 – p. 3, l. 2; p. 9, l. 31 – p. 10, l. 2; Figs. 1-3}**

11. The allocation unit **{ZG; 1}** as claimed in claim 9, wherein the code which causes the first network element **{NE-1; 2}** to transmit its ID together with the code causes the second network element **{NE-2; 3}** to receive the first network element ID from the first network element**{NE-1; 2}**. **{p. 3, l. 3 – p. 4, l. 15; Fig. 3}**

12. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

a receiver **{5}** which receives encoded IDs. **{p. 3, l. 18-21; Fig. 2}**

13. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

one or more devices which display a respective operating state. **{p. 6, l. 3-7; Figs. 1-3}**

14. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

a transmitter **{8}** which transmits, in a user-controlled manner, a second code which causes the first network element **{NE-1; 2}** to leave the network **{42}** of the second network element **{NE-2; 3}** or which causes the second network element**{NE-2; 3**, which has a network administration function, to break up the network **{4}**. **{p. 9, l. 6-24; p. 10, l. 21-26}**

15. A system for allocation medical network devices to a wireless network comprising:

an allocation unit **{ZG; 1}** which transmits an encoded code in response to a user command; **{p. 2, l. 6-21; Figs. 1-2}**

a unassigned first medical network device **{NE-1; 2}** which receives the encoded code and transmits an encoded first medical network

device ID with the encoded code in response to the reception of the encoded code; **{p. 2, l. 6-10; Figs. 1-2}**

a second medical network medical device **{NE-2; 3}**, assigned to an existing network **{4}** and having network administration functions, which second medical network device **{NE-2; 3}** receives the encoded first medical network device ID and assigns the first medical network device **{NE-1; 2}** to the existing network **{4}** in response to the reception of the encoded code from the allocation unit **{ZG; 1}**. **{p. 2, l. 6-17; p. 2, l. 6 – p. 8, l. 31; Figs. 1-4}**

16. The system as claimed in claim 15, wherein the allocation unit **{ZG; 1}** transmits an encoded light pulse. **{p. 2, l. 23 – p. 5, l. 12; p. 9, l. 31 – p. 10, l. 2; Figs. 1-4}**

17. The system as claimed in claim 15, wherein the allocation unit **{ZG; 1}** transmits an encoded radio signal. **{p. 5, l. 9-12; p. 6, l. 18 – p. 8, l. 10; Figs. 1-4}**

APPENDIX (Continued)

XII. MEANS OR STEP PLUS FUNCTION ANALYSIS SECTION (41.37(s))

2. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits an encoded light pulse. **{p. 2, l. 32 – p. 5, l. 12; Fig. 3}**

3. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits an encoded radio signal. **{p. 5, l. 9-12; p. 6, l. 18 – p. 8, l. 10; Fig. 3}**

4. A method of allocating network elements to a wireless network, wherein an allocation unit **{ZG; 1}** transmits a code to a first network element **{NE-1; 2}**, which causes the first network element **{NE-1}** to transmit its ID together with the code **{encoded ID}** so that the latter can be received by a second network element **{NE-2; 3}** which allocates the first network element **{NE-1; 2}** to its network **{4}** and wherein the activation of the second network element **{NE-2; 3}** to receive the encoded ID from the first network element **{NE-1; 2}** takes place by receiving the code from the allocation unit. **{p.2, l. 6-17; p. 3, l. 13 – p. 8, l. 34; Figs. 1-4}**

5. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** receives the encoded ID from the first network element **{NE-1; 2}** and transmits it to the second network element **{NE-2; 3}**. **{p. 8, l. 1-28; Fig. 4}**

6. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits a second code which causes the first network element **{NE-1; 2}** to leave the network **{4}** of the second network element **{NE-2; 3}**. **{p. 9, l. 1-24}**

7. The method as claimed in claim 4, wherein the allocation unit **{ZG; 1}** transmits a second code which causes the second network element **{NE-2; 3}**, which has a network administration function, to break up the network **{4}**. **{p. 9, l. 6-24}**

8. The method as claimed in claim 6, wherein the second code for removing network elements or for breaking up the network **{4}** includes the first code being transmitted over a longer time period or a number of times. **{p. 9, l. 18-24}**

9. An allocation unit **{ZG; 1}** for allocating network elements to a wireless network **{4}**, comprising:

a transmitter **{8}** which transmits, in a user-controlled manner, a code to a first network element **{NE-1; 2}**, which code causes the first network element **{NE-1; 2}** to transmit its ID together with the code to a second network element **{NE-2; 3}** which allocates the first network element **{NE-1; 2}**to its network **{4}**. **{p. 2, l. 6 – p. 8, l. 31; p. 10, l. 21-26; Figs 1-4}**

10. The allocation unit **{ZG; 1}** as claimed in claim 9, wherein the transmitter **{8}** comprises:

a device for transmitting an encoded light pulse and/or an encoded radio signal. **{p. 2, l. 32 – p. 3, l. 2; p. 9, l. 31 – p. 10, l. 2; Figs. 1-3}**

11. The allocation unit **{ZG; 1}** as claimed in claim 9, wherein the code which causes the first network element **{NE-1; 2}** to transmit its ID together with the code causes the second network element **{NE-2; 3}** to receive the first network element ID from the first network element**{NE-1; 2}**. **{p. 3, l. 3 – p. 4, l. 15; Fig. 3}**

12. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

a receiver **{5}** which receives encoded IDs. **{p. 3, l. 18-21; Fig. 2}**

13. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

one or more devices which display a respective operating state. **{p. 6, l. 3-7; Figs. 1-3}**

14. The allocation unit **{ZG; 1}** as claimed in claim 9, further including:

a transmitter **{8}** which transmits, in a user-controlled manner, a second code which causes the first network element **{NE-1; 2}** to leave the network **{42}** of the second network element **{NE-2; 3}** or which causes the second network element**{NE-2; 3**, which has a network administration function, to break up the network **{4}**. **{p. 9, l. 6-24; p. 10, l. 21-26}**

15. A system for allocation medical network devices to a wireless network comprising:

an allocation unit **{ZG; 1}** which transmits an encoded code in response to a user command; **{p. 2, l. 6-21; Figs. 1-2}**

a unassigned first medical network device **{NE-1; 2}** which receives the encoded code and transmits an encoded first medical network

device ID with the encoded code in response to the reception of the encoded code; **{p. 2, l. 6-10; Figs. 1-2}**

a second medical network medical device **{NE-2; 3}**, assigned to an existing network **{4}** and having network administration functions, which second medical network device **{NE-2; 3}** receives the encoded first medical network device ID and assigns the first medical network device **{NE-1; 2}** to the existing network **{4}** in response to the reception of the encoded code from the allocation unit **{ZG; 1}**. **{p. 2, l. 6-17; p. 2, l. 6 – p. 8, l. 31; Figs. 1-4}**

16. The system as claimed in claim 15, wherein the allocation unit **{ZG; 1}** transmits an encoded light pulse. **{p. 2, l. 23 – p. 5, l. 12; p. 9, l. 31 – p. 10, l. 2; Figs. 1-4}**

17. The system as claimed in claim 15, wherein the allocation unit **{ZG; 1}** transmits an encoded radio signal. **{p. 5, l. 9-12; p. 6, l. 18 – p. 8, l. 10; Figs. 1-4}**

APPENDIX (Continued)

XIII. EVIDENCE SECTION (41.37(t))

None.

APPENDIX (Continued)

XIV. RELATED CASES SECTION (41.37(u))

None.